

THIRTY-SECOND DAY.

Senate Chamber,

Austin, Texas,

Tuesday, February 23, 1915.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Clark.	McGregor.
Conner.	Morrow.
Cowell.	Nugent.
Darwin.	Page.
Gibson.	Parr.
Hall.	Robbins.
Harley.	Smith.
Harris.	Suiter.
Henderson.	Townsend.
Hudspeth.	Wiley.
Johnson.	

Absent.

Bailey of DeWitt.	McNealus.
Brelsford.	Westbrook.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Cowell.

See Appendix for Committee Reports and Petitions and Memorials.

Excused.

On account of important business:

Senator Bee, for non-attendance yesterday, on motion of Senator Harley.

On account of serious illness:

Senator McNealus, for non-attendance today, on motion of Senator Bailey of Harris.

Senator McCollum, for today, on motion of Senator Westbrook.

Bills and Resolutions.

By Senator King:

S. B. No. 350, A bill to be entitled "An Act to grant cities and towns owning their own waterworks, the right to condemn private property in or outside of the city or town limits, for the purpose of acquiring right-of-way

for digging or excavating canals, or for laying water mains into the city or town for the purpose of conducting water from any stream into the city or town for public use; and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Hudspeth:

S. B. No. 351, A bill to be entitled "An Act to amend Sections 4, 51 and 54 of Chapter 171 of the Acts of the Thirty-third Legislature, Regular Session. Approved April, 1913."

Read first time and referred to Committee on Mining and Irrigation.

By Senators Astin and Clark:

S. B. No. 352, A bill to be entitled "An Act to amend Sections 5 and 6 of Chapter 5 of the General Laws of the State of Texas, passed at the second called session of the Thirty-third Legislature, relating to a system of permanent warehouse."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Townsend:

S. B. No. 353, A bill to be entitled "An Act to amend Article 3247, Chapter 4, Title 52, of the Revised Civil Statutes of Texas, adopted by the Twenty-sixth Legislature of the State of Texas, relating to applications for the grant of letters testamentary and of administration upon estates of decedents and the time in which it shall be done, and adding thereto that this Article shall not apply to citizens of this State, who have suffered loss by the taking of their property by any United States treasury agent, or any United States officer or agent."

Read first time and referred to Judiciary Committee No. 1.

By Senator Page, by request:

S. B. No. 354, A bill to be entitled "An Act relieving the Sugarland Railway Company from the necessity of rebuilding and constructing about three and one-half miles of its road in Fort Bend County, Texas, as judgment entered in the case of the State of Texas vs. The Sugarland Railway Company, No. 28,875, originating in the district court of Travis County, Texas; and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Nugent:

S. B. No. 355, A bill to be entitled

"An Act amending Article 6249 (3744), Chapter 4, Title 104, of the Revised Civil Statutes of 1911, relating to the hiring of county convicts; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

Senate Concurrent Resolution No. 10.

By Senator Gibson:

Be it resolved by the Senate, the House concurring, that the 15th day of March, 1915, be set as the date for sine die adjournment.

Senator Gibson asked unanimous consent to consider resolution at once. There was objection.

Senator Gibson moved to suspend the Senate rule requiring resolutions to be referred to a committee and take up and consider S. C. R. No. 10 at once.

The motion was adopted by the following vote:

Yeas—17.

Astin.	Hudspeth.
Bailey of Harris.	Johnson.
Bee.	King.
Clark.	McCollum.
Cowell.	Nugent.
Darwin.	Page.
Gibson.	Parr.
Harley.	Robbins.
Henderson.	

Nays—8.

Conner.	Smith.
Hall.	Suiter.
McGregor.	Townsend.
Morrow.	Wiley.

Present—Not Voting.

Harris. Lattimore.

Absent.

Bailey of DeWitt. McNealus.
Brelsford. Westbrook.

Senator Townsend offered the following amendment, which was read:

Amend the resolution by striking out March 15 and insert in lieu thereof April 1 next.

Senator Clark moved to table the amendment, which motion to table was lost by the following vote:

Yeas—12.

Clark. Cowell.

Darwin.	Johnson.
Gibson.	Page.
Harley.	Parr.
Henderson.	Robbins.
Hudspeth.	Westbrook.

Nays—15.

Astin.	McGregor.
Bailey of Harris.	Morrow.
Bee.	Nugent.
Conner.	Smith.
Hall.	Suiter.
Harris.	Townsend.
King.	Wiley.
Lattimore.	

Absent.

Bailey of DeWitt. McCollum.
Brelsford. McNealus.

Action then recurring upon the amendment of Senator Townsend, the same together with the pending resolution, was laid on the table subject to call by the following vote:

Yeas—25.

Astin.	Lattimore.
Bailey of Harris.	McGregor.
Bee.	Morrow.
Clark.	Nugent.
Conner.	Page.
Cowell.	Parr.
Darwin.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harley.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.
King.	

Present—Not Voting.

McCollum.

Absent.

Bailey of DeWitt. Henderson.
Brelsford. McNealus.
Harris.

Simple Resolution No. 98.

To Reconsider Vote on S. B. No. 45.

I move that the motion to reconsider and table the final passage of Senate Bill No. 45 be reconsidered.

MORROW.

The resolution was read.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House Bill No. 51, A bill to be entitled "An Act to apportion the State of Texas into Congressional districts, naming the counties composing the same, and providing for the election of a member of the Congress of the United States from each district, and repealing all laws and parts of laws in conflict herewith," with engrossed rider.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

Simple Resolution No. 99.

By Senator King:

A resolution providing for an investigation of the compromise agreement in cause No. 29784, State of Texas vs. The M., K. & T. Ry. Co. of Texas, by Judiciary Committee No. 2, and directing that said committee report back the facts and circumstances surrounding said compromise agreement.

Pending the reading of the resolution there was objection to the further reading of the same, and Senator Darwin moved that the Secretary finish reading the resolution.

The motion prevailed by the following vote:

Yeas—15.

Astin.	Morrow.
Bailey of Harris.	Nugent.
Bee.	Page.
Darwin.	Parr.
Hall.	Suiter.
Harley.	Townsend.
King.	Wiley.
McGregor.	

Nays—7.

Conner.	Robbins.
Henderson.	Smith.
Johnson.	Westbrook.
Lattimore.	

Present—Not Voting.

Cowell.

Absent.

Bailey of DeWitt.	Harris.
Brelsford.	McCollum.
Gibson.	McNealus.

Absent—Excused.

Clark.	Hudspeth.
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Senator Townsend offered an amendment, which was read.

The resolution with amendment was referred to the Committee on Rules.

Senator McGregor moved to print the resolution and amendment both in the Journal.

As a substitute, Senator Lattimore moved not to print either in the Journal, which substitute motion prevailed by the following vote:

Yeas—15.

Bailey of Harris.	Morrow.
Conner.	Nugent.
Cowell.	Robbins.
Gibson.	Smith.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Lattimore.	

Nays—9.

Astin.	King.
Bee.	McGregor.
Darwin.	Page.
Hall.	Parr.
Harley.	

Absent.

Bailey of DeWitt.	McCollum.
Brelsford.	McNealus.
Harris.	Suiter.

Absent—Excused.

Clark.

Simple Resolution No. 100.

Be it resolved, that whereas, the news of the serious illness of Senator J. C. McNealus has just reached the Senate,

Therefore, be it resolved, that the Senate of Texas extend its deep sympathy and hope for his speedy recovery.

Wiley, Bee, Darwin, Page, McGregor, Johnson, Morrow, Westbrook, Lattimore, Bailey of Harris, Cowell, Hall, Nugent, Henderson, Hudspeth, Conner, Clark, Gibson, Harris, Parr, Astin, McCollum, King, Robbins, Suiter, Harley, Townsend, Smith.

The resolution was read and adopted.

On motion of Senator Hudspeth, a copy of the resolution was ordered to be sent to Senator McNealus.

Senate Bill No. 73—Withdrawn From Calendar.

On motion of Senator Astin, S. B. No. 73 was withdrawn from the calendar.

Simple Resolution No. 101.

By Senator Bailey of Harris:

Whereas, the regular session of the Thirty-fourth Legislature is fast drawing to a close; and,

Whereas, there has already been introduced a greater number of bills than can be intelligently considered by this body; therefore,

Be it resolved by the Senate of the Thirty-fourth Legislature of the State of Texas, That no bills introduced after February 25, 1915, except such as are responsive to platform demands, be considered.

The resolution was read and referred to the Committee on Rules.

House Bill No. 320—Printed in the Journal.

On motion of Senator Morrow, H. B. No. 320 was ordered printed in the Journal in full, and the same will be found in the Appendix.

Simple Resolution No. 102.

By Senator Townsend:

I move that Senators Robbins' and Hudspeth's names be added to the Committee on State Affairs.

The resolution was read and adopted.

Morning call concluded.

Invitation to Senate.

The Chair laid before the Senate the following invitation:

February 23, 1915.

Hon. W. P. Hobby, Lieutenant Governor, Austin, Texas.

Dear Sir: An entertainment will be given in the auditorium of the Blind Institute, on Thursday evening, February the twenty-fifth, at eight thirty o'clock, complimentary to the Legislature of Texas. Will you please extend a cordial invitation to the Senate and all employes, and

honor us with your presence on that occasion.

Yours sincerely,

E. E. BRAMLETTE,
Superintendent.

Bills Read and Referred.

The Chair (Lieutenant Governor Hobby) had referred, after its caption had been read, the following House bill:

H. B. No. 51 referred to Committee on Congressional Districts.

Senate Bill No. 133.

(Special order.)

The Chair laid before the Senate, on second reading,

S. B. No. 133, A bill to be entitled "An Act to make appropriation to cover the cost of temporary buildings for the use of the West Texas Normal College at Canyon, Texas, built in June, 1914, and declaring an emergency."

Senator Johnson offered the following amendment, which was read and adopted:

Amend S. B. No. 133 by inserting after the figures \$6,196.69, in line 12, the words "or so much thereof as may be necessary."

The bill was read second time and passed to engrossment.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 133 put on its third reading and final passage by the following vote:

Yeas—22.

Astin.	Lattimore.
Bailey of Harris.	McGregor.
Bee.	Morrow.
Conner.	Nugent.
Cowell.	Page.
Gibson.	Parr.
Harley.	Smith.
Henderson.	Suiter.
Hudspeth.	Townsend.
Johnson.	Westbrook.
King.	Wiley.

Absent.

Bailey of DeWitt.	Harris.
Brelsford.	McCollum.
Darwin.	McNealus.
Hall.	Robbins.

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—23.

Astin.	Lattimore.
Bailey of Harris.	McGregor.
Bee.	Morrow.
Conner.	Nugent.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Smith.
Harley.	Suiter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Bailey of DeWitt.	McCollum.
Brelsford.	McNealus.
Hall.	Robbins.
Harris.	

Absent—Excused.

Clark.

Senator Johnson moved to reconsider the vote by which S. B. No. 133 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Joint Resolution No. 3.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. J. R. No. 3, amending Article 5, Section 2, of the Constitution of Texas, so as to provide that the Supreme Court of this State shall consist of a chief justice and four associate justices; to describe their qualification, tenure of office and compensation.

The resolution was laid on the table subject to call.

Senate Bill No. 314.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 314, A bill to be entitled "An Act to amend Article 5402, Revised Statutes, 1911, so as to authorize the investment of

the proceeds of the sale of lands granted to counties for educational purposes in bonds of the United States, the State of Texas, of counties of the State, of independent or common school districts, road precincts, drainage, irrigation, navigation and levee districts of said State, of incorporated cities and towns, of road precincts of any county, of drainage, irrigation, navigation and levee districts of any county or counties of Texas, and declaring an emergency."

The committee report with (committee) amendments was adopted.

The bill passed to engrossment.

On motion of Senator Hudspeth the constitutional rule requiring bills to be read on three several days, was suspended and S. B. No. 314 put on its third reading and final passage by the following vote:

Yeas—22.

Astin.	Lattimore.
Bailey of Harris.	McGregor.
Bee.	Morrow.
Conner.	Nugent.
Cowell.	Page.
Gibson.	Parr.
Harley.	Smith.
Henderson.	Suiter.
Hudspeth.	Townsend.
Johnson.	Westbrook.
King.	Wiley.

Absent.

Bailey of DeWitt.	Harris.
Brelsford.	McCollum.
Darwin.	McNealus.
Hall.	Robbins.

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—23.

Astin.	Lattimore.
Bailey of Harris.	McGregor.
Bee.	Morrow.
Conner.	Nugent.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Smith.
Harley.	Suiter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Bailey of DeWitt. McCollum.
Brelsford. McNealus.
Hall. Robbins.
Harris.

Absent—Excused.

Clark.

Senator Townsend moved to reconsider the vote by which S. B. No. 314 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Joint Resolution No. 3—Called Up.

Senator Morrow called up from the table S. J. R. No. 3, and offered the following amendment, which was read and adopted:

Amend Senate Joint Resolution No. 3, page 2, line 19, by inserting after the word, the following: First Saturday in August, 1915, and by striking out, in said line, the words "days of."

The resolution, on motion of Senator Morrow, was then passed to engrossment.

Simple Resolution No. 103.

(By unanimous consent.)

I move that the Secretary of the Senate be instructed to transmit to the President of the United States a copy of the resolution adopted on yesterday, recommending the appointment of the Hon. Presley K. Ewing of Houston, Texas, as judge of the United States Circuit Court of Appeals, Fifth district.

BAILEY of Harris.

The resolution was read and adopted.

Simple Resolution No. 104.

(By unanimous consent.)

We move that Mrs. James B. Wells of Brownsville, Texas, be granted the privilege of the Senate chamber tonight, February 23, for the purpose of delivering an address against woman suffrage.

Westbrook, Parr, Hudspeth, Page, Gibson, Cowell, Johnson, Lattimore, Henderson, Conner, Townsend, King, Suiter, Harley, Morrow, McGregor, Smith, Darwin, Astin, Bailey of Harris, Hall, Bee, Nugent, Wiley.

The resolution was read and adopted.

Recess.

On motion of Senator Wiley, the Senate, at 12:35 o'clock, p. m., recessed till 2:30 o'clock, p. m., today.

After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Hobby.

Senate Bill No. 24—Set for Special Order.

Senator Johnson asked unanimous consent to make S. B. No. 24 a special order for next Saturday at the conclusion of the morning call.

There was no objection and the order was so made.

Senate Bill No. 273—A Special Order.

Senator Lattimore asked unanimous consent to have S. B. No. 273 set for special order at the conclusion of the morning call Wednesday (tomorrow).

There was no objection.

Senate Bill No. 17—Made Special Order.

By unanimous consent S. B. No. 17 was made special order to follow immediately after S. B. No. 273 on tomorrow.

Senate Bill No. 251—Made Special Order.

By unanimous consent S. B. No. 251 was set for a special order following the conclusion of the morning call next Thursday.

Senate Bill No. 97—Made Special Order.

Senator Westbrook asked unanimous consent to set S. B. No. 97 as special order for next Monday follow-

ing the conclusion of the morning call.

There was no objection.

Senate Bill No. 57—Made Special Order.

By unanimous consent S. B. No. 57 was made a special order for next Tuesday after the morning call.

Senate Bill No. 10—Made Special Order.

By unanimous consent S. B. No. 10 was set for a special order for next Friday at the conclusion of the morning call.

Messages From the House.

Hall of the House of Representatives,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House does not concur in Senate amendment to H. B. No. 154 and requests the appointment of a Conference Committee. The following members on the part of the House have been appointed: Butler, Woods of Navarro, Davis, Grindstaff and Dayton.

The House refused to engross the following House Joint Resolution:

I. J. R. No. 27, Proposing to amend Sections 2 and 24, of Article 3, so as to reduce the membership of the House of Representatives to ninety-three members, and fixing the salary for the members of the Legislature.

Also, the House has adopted H. C. R. No. 10, making appropriation for continuing work of committee to report a plan for cleaning and repairing capitol building.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

S. C. R. No. 9, Relating to flood waters of the Mississippi River.

H. C. R. No. 8, Making for the sine die adjournment date of the Thirty-fourth Legislature March 13, 1915.

The House refuses to engross the following bill:

House Bill No. 56, A bill to be entitled "An Act providing for the regulation and control of hospitals maintained or established or conducted by means of funds derived from deductions from wages of or collections from the employes of railway companies, or receivers thereof, providing that the collectors or possessors of such funds and property in which such funds have been invested shall be trustees thereof for the benefit of such employes, and providing for the selection of the members of the boards for management of such hospitals, and for the powers of such boards, for the free transportation of sick and injured employes to and from such hospitals, and fixing penalties for violation, and providing for the collection of such penalties, and declaring for an emergency."

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

Stenographer Appointed.

The President of the Senate announced the appointment of Miss Jessie Moreland as stenographer of the Senate at the request of Senator Henderson, to take the place of W. H. Granberry, resigned.

Resolutions Read and Referred.

The Chair (Lieutenant Governor Hobby) had referred, after they had been read, the following:

H. C. R. No. 8, referred to the Committee on Rules.

H. C. R. No. 10, referred to the Committee on Finance.

Senate Bill No. 40.

(Special order.)

The Chair laid before the Senate, as a special order, on second reading, S. B. No. 40, "An Act limiting the hours of labor for females employed."

Senator Bee moved that the com-

mittee report, recommending a substitute bill, be adopted.

The motion was adopted.

The Chair laid before the Senate, on second reading,

C. S. for S. B. No. 40, A bill to be entitled "An Act limiting the hours of labor for females employed in any factory, mine, mill, workshop, mechanical or mercantile establishment, laundry, hotel, restaurant or rooming house, theatre or moving picture show, barber shop, telegraph or telephone office, express or transportation company, or in any other establishment, institution or enterprise where females are employed, except as hereinafter provided; compelling each employer in any factory, mine, mill, workshop, mechanical or mercantile establishment, laundry, hotel, restaurant or rooming house, theatre or moving picture show, telegraph or telephone office, express or transportation company, or any other establishment, institution or enterprise where females are employed to provide and furnish suitable seats for all such female employes when not engaged in their active duties as such employes; providing a penalty for refusal of such employer to comply with the provisions of this Act, or for permitting or suffering any superintendent, overseer, foreman or other agent of such employer, entrusted with authority, to violate any of the provisions of the Act; providing for extraordinary emergencies, and declaring an emergency."

The bill was read second time, and Senator Lattimore offered the following amendment:

Amend the printed bill, page 6, line 4, by striking out the period at the end of the second word "female," and inserting a comma, and adding the following: "provided this Act shall not apply to stenographers or pharmacists."

The amendment was read, and a division of the amendment having been called for, the amendment in so far as it applies to stenographers, was adopted.

Action recurred on the amendment as applied to pharmacists, and it was adopted.

Senator Astin offered the following amendment:

Amend Committee Substitute Senate Bill No. 40, by adding at the end of Section 1, the following: "Provided, this Act shall not apply to cities

or towns containing a population of 5,000 or less as shown by the last Federal census."

The amendment was read, and pending discussion, Senator Bailey of Harris moved the previous question, which being duly seconded, was ordered.

The amendment was then lost.

Senator Clark offered the following amendment, which was read, and tabled:

Amend bill on page 5, by striking out all after the word "mine," in line 25, to the first word "Or" in line 29.

(Senator Nugent in the chair.)

Senator Darwin offered the following amendment:

Amend the bill, page 6, by striking out Section 1b, which reads as follows:

Sec. 1b. No female shall be employed in any factory engaged in the manufacture of cotton, woolen or worsted goods for more than ten hours in any one calendar day, nor for more than sixty hours in any one calendar week.

The amendment was read, and Senator Bailey of DeWitt moved to table the same, which motion to table was adopted by the following vote:

Yeas—17.

Astin.	Henderson.
Bailey of DeWitt.	Johnson.
Bailey of Harris.	Morrow.
Bee.	Nugent.
Conner.	Page.
Cowell.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harley.	

Nays—10.

Clark.	McGregor.
Darwin.	Parr.
Hudspeth.	Townsend.
King.	Westbrook.
Lattimore.	Wiley.

Absent.

Brelsford.	Harris.
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Absent—Excused.

McCollum.	McNealus.
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Reasons for Vote.

I vote aye on the motion of the Senator from DeWitt to table the amendment of the Senator from Delta in deference to the expressed view of

the Senator from Bexar, author of the bill, that the adoption of the amendment would imperil the passage of the law.

BAILEY of Harris.

Senator Bee offered the following amendment, which was read and adopted.

Amend the bill, page 7, line 13, by adding the following after the word "offense":

"Provided, that the provision of the law shall not apply to telegraph and telephone companies in cities or towns of less than 3,000 inhabitants, as shown by the last Federal census."

Senator Bee offered the following amendment, which was read and adopted:

Amend the bill by adding a new section, to read as follows:

Section 5. If any section or provision of this Act is for any reason held or declared to be unconstitutional, it shall not affect nor impair nor render invalid the rest of this Act.

And changing other sections to conform thereto.

Senator Hudspeth offered the following amendment, which was read and adopted:

Amend the bill, page 6, line 30, by striking out the word "require," and insert the word "permit" in lieu thereof.

Senator Astin offered the following amendment:

Amend C. S. to Senate Bill No. 40, as follows: By adding after the word "factory" and before the word "mine" in line 25 of Section 1, the following:

"Except manufacturing establishments engaged exclusively in the manufacture of tents, awnings, bags and wagon covers, where same is manufactured exclusively out of cotton, and in which said factory no power is used except such as is generated by electricity, gas or steam, and in which no hand or foot power machines are used or operated."

And by adding two new sections to be known as Sections 1b and 2b, to read as follows:

"Section 1b. No female shall be employed in any manufacturing establishment engaged exclusively in the manufacture of tents, awnings, bags or wagon covers, where the same is manufactured exclusively out of cotton, and in which said factory no power is used except such as is generated by electricity,

gas or steam, and in which no hand or foot power machines are used or operated for more than ten hours in one calendar day, nor for more than sixty hours in any one week."

"Section 2b. Any employer or any superintendent, overseer, foreman or other agent of such employer coming under the provisions of Section 1b of this Act entrusted with authority, who shall require or permit any female employe to work for more than sixty hours in one week shall be deemed guilty of a misdemeanor and upon conviction in any court of competent jurisdiction shall be fined in any sum not less than \$50.00 nor more than \$200.00, and each day of such violation, and each such female required to or permitted to work for more than the time provided for in this Act, shall constitute a separate offense."

The amendment was read, and Senator Bailey of Harris moved to table the same, which motion prevailed by the following vote:

Yeas—23.

Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McGregor.
Bee.	Nugent.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.
King.	

Nays—2.

Astin.	Clark.
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Present—Not Voting.

Morrow.

Absent.

Brelsford.	Harris.
Conner.	

Absent—Excused.

McCollum.	McNealus.
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Senator Henderson offered the following amendment:

Amend the bill, page 7, line 13, by adding the following: "Provided, that the provisions of this bill shall not apply to mercantile establishments in cities, towns and villages of less than 3,000 inhabitants, as shown by the last Federal census."

The amendment was read, and Senator Bee moved to table the same, which motion was lost by the following vote:

Yeas—11.

Bailey of DeWitt.	Page.
Bailey of Harris.	Parr.
Bee.	Robbins.
Hall.	Townsend.
King.	Westbrook.
McGregor.	

Nays—14.

Astin.	Johnson.
Clark.	Lattimore.
Cowell.	Morrow.
Darwin.	Nugent.
Gibson.	Smith.
Harley.	Suiter.
Henderson.	Wiley.

Absent.

Brelsford.	Harris.
Conner.	Hudspeth.

Absent—Excused.

McCollum.	McNealus.
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Reason for Vote.

I vote "aye" upon the motion to table the amendment of the Senator from Delta. I do this because I agreed in the committee to let this amendment become a part of the bill.

I had canvassed the Senate and ascertained that sixteen Senators would vote against the bill unless the exemption was made. I was confronted with a "condition and not a theory."

I am firmly convinced that the employes in the cotton mills should have just as much rest and right as those in other lines of endeavor. I favor the encouragement of capital, but cannot reconcile myself to encouraging them at the expense of the sweat and blood of the women who work.

Good faith requires that I keep my obligation as made in the committee, as much as I regret so to do. Two years ago we were not able to secure any consideration for the cotton mill employes. This year we have reduced their hours to ten. The battle is on and two years from now the cotton mill operators will share the same good fortune as is now enjoyed by their sisters in other lines of endeavor.

BEE.

Senator Townsend offered the following:

Amend the amendment by striking out the words "as shown by the last Federal census."

The amendment to the amendment was read and the same was adopted.

Action then recurred upon the amendment as amended and the same was adopted by the following vote:

Yeas—16.

Astin.	Johnson.
Clark.	Lattimore.
Cowell.	Morrow.
Darwin.	Nugent.
Gibson.	Robbins.
Harley.	Smith.
Henderson.	Suiter.
Hudspeth.	Wiley.

Nays—10.

Bailey of DeWitt.	McGregor.
Bailey of Harris.	Page.
Bee.	Parr.
Hall.	Townsend.
King.	Westbrook.

Absent.

Brelsford.	Harris.
Conner.	

Absent—Excused.

McCollum.	McNealus.
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Senator Astin offered the following amendment, which was read:

Amend the printed bill, page 5, Section 1, line 20, by inserting after the word "enterprise," the following: "more than ten."

Senator Bee moved to table the amendment, which motion prevailed.

Senator Gibson offered the following amendment, which was read and adopted:

Amend the bill, page 6, line 14, by inserting after the word "goods," "or articles of merchandise manufactured out of cotton goods."

Senator Harley moved the engrossment of the bill, and moved the previous question, which was duly seconded and ordered.

The bill was passed to engrossment.

On motion of Senator Bee, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 40 put on its third reading and final passage by the following vote:

Yeas—24.

Astin.	Lattimore.
Bailey of Harris.	McGregor.
Bee.	Morrow.
Cowell.	Nugent.
Darwin.	Page.
Gibson.	Parr.
Hall.	Robbins.
Harley.	Smith.
Henderson.	Suiter.
Hudspeth.	Townsend.
Johnson.	Westbrook.
King.	Wiley.

Nay—1.

Bailey of DeWitt.

Absent.

Brelsford.	Conner.
Clark.	Harris.

Absent—Excused.

McCollum.	McNealus.
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The bill was laid before the Senate and read third time.

Senator Bee offered the following amendment:

Amend page 7, line 14, by striking out the figure 4 and insert in lieu thereof the figure 6.

The amendment was read and adopted by the following vote:

Yeas—23.

Astin.	McGregor.
Bailey of Harris.	Morrow.
Bee.	Nugent.
Cowell.	Page.
Darwin.	Parr.
Hall.	Robbins.
Harley.	Smith.
Henderson.	Suiter.
Hudspeth.	Townsend.
Johnson.	Westbrook.
King.	Wiley.
Lattimore.	

Nay—1.

Bailey of DeWitt.

Absent.

Brelsford.	Gibson.
Clark.	Harris.
Conner.	

Absent—Excused.

McCollum.	McNealus.
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Senator Bee offered the following amendment:

Amend page 7, line 18, by striking out the figure 5 and inserting in lieu thereof the figure 7.

The amendment was read and adopted by the following vote:

Yeas—23.

Astin.	McGregor.
Bailey of Harris.	Morrow.
Bee.	Nugent.
Cowell.	Page.
Darwin.	Parr.
Hall.	Robbins.
Harley.	Smith.
Henderson.	Suiter.
Hudspeth.	Townsend.
Johnson.	Westbrook.
King.	Wiley.
Lattimore.	

Nay—1.

Bailey of DeWitt.

Absent.

Brelsford.	Gibson.
Clark.	Harris.
Conner.	

Absent—Excused.

McCollum.	McNealus.
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The bill was then finally passed.

Senator Bee moved to reconsider the vote by which S. B. No. 40 was passed and table the motion to reconsider.

The motion to table prevailed.

Simple Resolution No. 105.

(By unanimous consent.)

By Senator Hudspeth:

Whereas, the distinguished lady, Mrs. James B. Wells, has been invited to address the Senate tonight at 8 o'clock on the question of Woman Suffrage, her attitude being against extending the right of suffrage to the women of Texas. Therefore, be it

Resolved, That the House of Representatives be and is here now invited to attend the hearing, either in a body or by themselves, as they may desire.

The resolution was read and adopted.

Senate Bill No. 315.

(Special order.)

The Chair laid before the Senate,

as special order, on second reading.

S. B. No. 315, a bill to be entitled "An Act to provide for the appointment of a Cotton Seed Products Investigating Commission, to be composed of three persons to be appointed by the Governor, to investigate cotton seed oil mills located within this State, to ascertain whether anti-trust laws of Texas and the United States are being violated in connection with the purchase of cotton seed, the relation of such cotton seed oil mills, their owners and controllers, through individuals or stock ownership, with each other, and with packeries, national banking associations, State banks, trust companies, transportation companies, cotton gins and other corporate organizations or companies, or with the stockholders, directors or other officers or agents of such companies, or with a person or persons, which have a tendency to destroy competition in the purchase of cotton seed and the sale of the products thereof; to provide for the issuance of processes for witnesses and the taking of testimony, and conferring the power to compel attendance of witnesses and to compel witnesses to testify and providing compensation for such witnesses and to adjudge guilty of contempt and impose a penalty for refusal to testify; providing for compensation to be paid to members of the commission, and power to employ clerical and other assistance, and such commission shall submit proposed bills and report to the Governor; appropriating the sum of thirty thousand (\$30,000) dollars to provide for the expense to be incurred, and declaring an emergency."

The committee report with the (committee) amendment, was adopted.

Senator Westbrook offered the following amendment:

Amend the bill on page 453 of the Senate Journal, by striking out after the word "created," in line 3, all down to and including the word "Governor," in line 5, and inserting in lieu thereof: "Under the control of the Attorney General's department."

The amendment was read and Senator McGregor moved to table the same.

Pending.

Adjournment.

On motion of Senator Westbrook, at 6:25 o'clock p. m., the Senate adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Senators Gibson, Page and Bee presented several telegrams opposing the Full Crew Bill.

Senators Morrow and Lattimore offered several communications protesting against the abolition of the Fire Insurance Rating Board.

Petitions protesting against the passage of a law prohibiting the trapping of fur-bearing animals were presented by Senators Morrow and Smith.

Senators Harris and Morrow each offered petitions opposing the passage of the Townsend-Darwin Bill, providing for the annulment of all exceptions to the Anti-Pass Law.

Senator Hudspeth presented a petition from citizens of Menard County, protesting against the repeal of the Robertson Insurance Law.

Senator Morrow offered a petition opposing the Usury Bill.

Senator Smith presented a petition from several ginners of Rusk County who desire the Warehouse Law amended.

Senators McCollum and Johnson offered petitions favoring the passage of H. B. No. 255 and H. J. R. Nos. 18 and 5.

Standing Committee Reports.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Contingent Expenses, to whom was referred Senate Joint Resolution No. 20,

Have had same under consideration, and beg leave to report that I am instructed to report the same back to the Senate with the request that it be referred to Committee on Public Buildings and Grounds.

WILEY, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred H. B. No. 8, by McAskill and others,

Have had the same under consideration, and beg to report the same back to the Senate with the recommendation that it do pass, with the Senate committee amendment, said amendment affecting only the caption of the bill to conform with the amendment adopted by the House of Representatives on third reading.

McGREGOR, Chairman Pro Tem.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

S. B. No. 284, a bill to be entitled "An Act to amend Article 1056, Chapter 14, Title 22, of the Revised Civil Statutes, 1911, of the State of Texas, regulating the duties of city marshals in cities and towns, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Judiciary Committee No. 1, to whom was referred S. B. No. 284, have had the same under consideration, and beg to report the same back to the Senate with the recommendation that it do pass.

CONNER.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

S. B. No. 295, A bill to the entitled "An Act to amend Article 421 of the

Revised Criminal Statutes of 1911, of the State of Texas, defining the offense of barratry, and fixing the punishment therefor, and declaring an emergency,"

Have had the same under consideration, and beg to report the same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

S. B. No. 321, a bill to be entitled "An Act to amend Article 2997, Chapter 7, Article 2961, Chapter 4, and Article 2986, Chapter 6, of Title 49, Revised Civil Statutes of the State of Texas of 1911, and adding thereto Article 2997a, providing that bona fide citizens who are property owners and who have paid their poll and property taxes as required by law prior to February 1 of each year, but to whom no poll tax receipt has been issued, shall have the right to qualify as voters by applying in person for special tax receipts prior to the 15th day of March following, giving such persons the right to vote when otherwise qualified; providing that bona fide citizens of this State who have resided in the State for one year and in any county in this State for six months and who are traveling men or engaged in the transaction of business away from the county and precinct of their residence, or who for other reasons are unable during the months of October, November, December and January of any year to appear before the tax collector of the county where they reside, may apply during such months to the tax collector of any other county in this State prior to the first day of February and pay their poll tax, which said poll tax shall be issued to them with the understanding that same shall be transferred to the county of their residence, and providing that such poll tax payers shall be qualified voters in such counties where they reside upon the proper transfer being made; providing for the issuance of special property poll tax receipts for those who have paid both property and poll tax prior to February 1 of each year, and providing the manner in which

such receipts shall be issued and stamped; providing also that list of holders of poll tax receipts, special property poll tax receipts and exemption certificates shall be filed with certain officers of the elections and in the office of the Comptroller of Public Accounts, and providing compensation for such work; repealing all laws in conflict with this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

S. B. No. 331, A bill to be entitled "An Act granting permission to the Imperial Sugar Company, a corporation, incorporated under and by virtue of the laws of the State of Texas, located at Sugarland, Fort Bend County, to bring suit in the district court of Travis County, Texas, against the State of Texas, for the recovery of certain sums of money advanced, and for merchandise and personal property sold and delivered to the Board of Prison Commissioners of the State of Texas for and in behalf of the State, and to recover damages for breach of contract existing between said Imperial Sugar Company and said Board of Prison Commissioners for and in behalf of the State, for waste and destruction committed by said Board of Prison Commissioners upon the plantation and properties, real and personal, of Imperial Sugar Company while in the possession of and under the control of said Board of Prison Commissioners in behalf of the State of Texas as lessee, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

S. B. No. 341, a bill to be entitled "An Act to amend Section twenty-four (24) of the Special Road Law for Bastrop County, Texas, as passed by the Thirty-third Legislature of the State of Texas, Special Laws, and approved March 25, 1915, making members of the commissioners court ex officio road commissioners of their respective precincts, more fully defining their duties as such road commissioners, fixing their salaries, and per diem compensation for commissioners and county judge while serving as members of the commissioners court, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

S. B. No. 344, A bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto Section 76, providing for the creation of corporations for the design, purchase and sale of steel and iron and other metal products, and the manufacture of any or all of such products, and for the design, sale, construction and erection of engineering and architectural structures and contracting for the construction and erection of such structures."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

S. B. No. 349, A bill to be entitled "An Act to amend Article 2393, Chapter 17, of the Revised Civil Statutes of 1911, providing for the perfecting of appeals from the justices' courts to county and district

courts, and providing for the giving of appeal bonds."

Have had the same under consideration, and beg to report the same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

H. B. No. 79, A bill to be entitled "An Act to confer upon the county court of Dickens County original concurrent jurisdiction with the justices' courts of said county in civil cases, and to repeal all laws in conflict with this Act, and declaring an emergency."

Have had the same under consideration, and beg to report the same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 196 and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 288 and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 330 and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 148 and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 308 and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 314 and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 133 and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, February 23, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Joint Resolution No. 3 and find same correctly engrossed.

WESTBROOK, Chairman.

THIRTY-THIRD DAY.

Senate Chamber,
Austin, Texas,
Wednesday, February 24, 1915.

The Senate met at 10 o'clock, a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.